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UNITED STATES DISTRICT COURT  
DISTRICT OF ALASKA

ANTHONY L. BLANFORD and  
JOHN K. BELLVILLE,

Plaintiffs,

MICHAEL J. DUNLEAVY, in his  
individual and official capacities;  
TUCKERMAN BABCOCK; and the  
STATE OF ALASKA,

Defendants.

\_\_\_\_\_  
Case No. 3:19-cv-00036-JWS

\_\_\_\_\_  
VIDEOCONFERENCE DEPOSITION OF ALBERT WALL  
\_\_\_\_\_

Pages 1 - 54  
Tuesday, January 5, 2021  
11:00 a.m.

Taken by Counsel for Plaintiffs  
Via Remote Videoconference

**CERTIFIED  
TRANSCRIPT**

1 A-P-P-E-A-R-A-N-C-E-S

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Also Present:

JOHN K. BELLVILLE  
ANTHONY L. BLANFORD

1	I-N-D-E-X		
2	EXAMINATION BY		PAGE
3	Mr. Koteff		4
4			
5	EXHIBITS		
6	NUMBER	DESCRIPTION	PAGE
7	(No exhibits were marked.)		
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1           ANCHORAGE, ALASKA; TUESDAY, JANUARY 5, 2021

2                                   10:55 A.M.

3                                   -oOo-

4                                   ALBERT WALL,

5           deponent herein, being duly sworn under oath,

6           was examined and testified as follows:

7                                   EXAMINATION

8   BY MR. KOTEFF:

9           Q       Good morning, Mr. Wall. How are you?

10          A       I'm doing well.

11          Q       What is your current title?

12          A       I'm currently the Deputy Commissioner of  
13   Medicaid and Healthcare Policy for the State.

14          Q       When you say you're Deputy Commissioner,  
15   that's within DHSS, then, correct?

16          A       Yes, sir.

17          Q       Okay. Are there any other deputy  
18   commissioners besides you?

19          A       There is one other deputy commissioner  
20   position. It's currently occupied by Clinton  
21   Lasley. And that is the Deputy Commissioner of  
22   Family and Integrated Services.

23          Q       Have you been the deputy commissioner  
24   since December 3rd, 2018?

25          A       I have. I was in the former position,

1 budget crisis than has been historically in the  
2 state. It's the responsibility of the governor's  
3 office to put forward a budget. I think, you know,  
4 there certainly was concern over that process that  
5 was around that, but I don't have any other  
6 opinions as to why.

7 Q Do you recall Mr. Babcock saying that if  
8 at-will employees wanted to work on the governor's  
9 agenda, that they should reapply for their jobs?

10 A I do recall him saying that. My  
11 understanding of the process is that -- and as for  
12 me, the process historically is not, like, a total  
13 reapplication where you go on Workplace Alaska and  
14 do that. It's a letter of interest that's put  
15 together. I still have mine from when Governor  
16 Walker came in.

17 Q So at some point you became aware that  
18 Dr. Bellville and Dr. Blanford had not been  
19 retained.

20 At what point do you recall there being  
21 any discussion about trying to get them back into  
22 their jobs?

23 A Almost immediately as the process came  
24 out. I mean, again, I'm talking about a span of  
25 three or four days there between the 3rd and the

1 4th, the 6th or 7th. But, you know, there was a  
2 lot of different things moving at that time and a  
3 lot of crisis conversations, that being one of  
4 them, and very close to the top priority. So we  
5 set up a time as quickly as we could to go over  
6 there and talk to them in person with the intent to  
7 ask them to continue to work there.

8 Q Was that your decision?

9 A I think it was a joint decision between  
10 the Commissioner and I. It's ultimately his  
11 authority to do so.

12 Q Well, how did the topic first come up  
13 then?

14 A You know, the interim director at API  
15 called and said: Hey, I've got no docs. You know,  
16 it came up very quickly in the process. Yeah,  
17 that's how it came up. It was a big deal.

18 Q So the interim director, that was  
19 Mr. Mayes?

20 A Yes.

21 Q Did he call you, or did he call Mr. Crum,  
22 or somebody else to say that he didn't have any  
23 docs?

24 A He called me. He reported to me at that  
25 time.

1 Q Okay. And walk us through that  
2 conversation, then. What did he say?

3 A Well, basically he just called and said  
4 that Dr. Blanford and Dr. Bellville are not  
5 submitting a letter of interest to be retained with  
6 the administration, and that puts us in a real  
7 shortage of docs. That was the conversation.

8 Q Were you aware at that point they'd  
9 already been fired?

10 A Again, I don't see it as a firing, but if  
11 the deadline had passed for the submission of their  
12 resignation, then -- we'd have to look at the dates  
13 on it.

14 Q So after that conversation, what happened  
15 next?

16 A As I said, you know, I went next door to  
17 the Commissioner and said: Hey, we have an issue.  
18 And I think if we go over there in person and talk  
19 to Dr. Blanford and Bellville, there's a chance  
20 that maybe we can ask them to change their mind and  
21 get them back on board. So we set up a time to go  
22 talk with them and Mr. Mayes.

23 Q What did you want them to change their  
24 mind about?

25 A Submitting a letter of interest to remain

1 employed with the State in their positions.

2 Q Okay. Do you know -- well, let me ask  
3 you: I'm assuming that Commissioner Crum agreed  
4 with your suggested plan?

5 A Yes.

6 Q Do you know if he had to seek approval in  
7 order to meet with the doctors and do what you were  
8 suggesting?

9 A No.

10 Q But he approved of what you said then,  
11 correct?

12 A We did go over and talk to the doctors,  
13 yes.

14 Q And who set the meeting up? Do you  
15 remember?

16 A It was set up by the front-desk lady at  
17 API -- the secretary for the CEO of API, but I  
18 can't remember -- she's retired since then.

19 Q Okay. And the meeting was at API, right?

20 A It was.

21 Q Do you remember where in the building?

22 A In the CEO's office.

23 Q I'm sorry?

24 A In the CEO's office.

25 Q And who was there besides you and



1 basically just asked what their concerns were.  
2 Told them that we definitely needed psychiatrists  
3 at the hospital, respected their work, and asked if  
4 they would consider, you know, staying with the new  
5 administration. And then they just kind of went  
6 through their list of concerns and we talked back  
7 and forth.

8 Q Okay. Did they say whether they were  
9 going to change their minds or not?

10 A They did not.

11 Q What specifically were they asked about  
12 changing their minds?

13 A I'm sorry, come again?

14 Q Well, you said that the purpose of the  
15 meeting was to see if they would change their  
16 minds, and I asked you if they said they would and  
17 you said they didn't. So I'm just trying to get to  
18 the --

19 What were they asked to do?

20 A I specifically asked them if they would  
21 consider staying with the new administration, just  
22 submit a letter of interest to remain in their  
23 positions. And there was discussion back and  
24 forth, but I don't recall them promising to do so  
25 or saying they weren't going to. They certainly

1 had concerns and had an opportunity to voice the  
2 concerns.

3 Q What were the concerns they raised?

4 A My recollection of that is that, you  
5 know, their concerns were that as medical doctors  
6 they should be -- they serve whoever walks into the  
7 work regardless of political affiliation and did  
8 not see that as part of their -- as a professional  
9 need for what their work included.

10 Q Anything else that they voiced as a  
11 concern?

12 A I don't really specifically recall  
13 anything else.

14 Q What did they say when you asked them to  
15 reconsider and submit that letter of intent, as I  
16 think you called it?

17 A Would you mind if I go back to the  
18 previous question?

19 Q Sure.

20 A You said: Was there any other concern  
21 that they had? And I do recall there was another  
22 concern. At the time, and still, API was operating  
23 under duress with the number of closed beds. They,  
24 as medical doctors, were concerned with  
25 destabilizing the hospital further where they work.